

Canada's Anti-Spam Legislation Procedure

RATIONALE:

Hamilton-Wentworth District School Board is committed to complying with the requirements of Canada's Anti-Spam Legislation for the sending of Commercial Electronic Messages.

Canada's Anti-Spam Legislation (CASL) came into effect on July 1, 2014. Under the legislation, anyone who sends an electronic message (e.g., email) that encourages participation in a commercial activity (e.g., to buy something) must meet these three requirements:

- Obtain the consent of the recipient to send them the messages
- Provide identification information about the sender
- Provide a way for people to unsubscribe from receiving these messages

TERMINOLOGY:

Commercial Activity: is any activity or transaction that involves the exchange of money. This includes, but is not limited to, offers to purchase goods such as school pictures, yearbooks, team uniforms, spirit wear, hot lunches, milk, products or tickets for a fundraiser, or fees for a school trip.

Commercial Electronic Messages: Are electronic messages sent to an electronic address, where it is reasonable to conclude that the message's purpose, or one of its purposes, is to encourage participation in a commercial activity.

Electronic Message: Means a message sent by telecommunication including email, texting, or other instant messaging. Faxes, voicemails and phone calls are not electronic messages.

Electronic Address: An address used in connection with the transmission of an electronic message, e.g., an email address, a phone number used for an instant messaging account, or any other messaging account such as the private messaging functions of Instagram or Facebook.

PROCEDURES:

1.0 Electronic Distribution Lists

- 1.1 Schools will create electronic distribution lists from PowerSchool.

2.0 Consent

Canada's Anti-Spam Legislation Procedure

- 2.1 Consent to receive emails is obtained on the Student Registration Form when parents/guardians and adult students enter email addresses for the purpose of receiving communications from the school.
- 2.2 Schools will refrain from using telephone accounts for sending commercial electronic messages.

3.0 Identification Information

- 3.1 All messages received by students or parents and guardians that contain a commercial electronic message must contain the standard HWDSB email signature that identifies the sender, the Board, the Board mailing address, the sender's email address and telephone number.

4.0 Unsubscribe Mechanism

- 4.1 All parents, guardians and adult students are made aware at the time of consent that they are to contact the school to change their information, including the email address(es) they provided for receiving communications.
- 4.2 If at any time a person revokes their consent, their email address must be removed from all Board/school email lists. Requests to unsubscribe must be acted upon no later than 10 business days.